

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

FRIENDS OF THE EARTH, INC., <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	Civil No. 3:92-2574-O
GASTON COPPER RECYCLING	)	
CORPORATION,	)	
	)	
Defendant.	)	

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**AFFIDAVIT OF GUY JONES**

I, Guy Jones, do affirm and state:

1. I am a member of both the Citizens Local Environmental Action Network, Inc. (CLEAN) and Friends of the Earth (FOE).
2. I previously testified at the trial in this case in 1995 and executed an affidavit on September 30, 2003, regarding my use of the Edisto River in South Carolina. The purpose of this affidavit is to provide additional information regarding my use of the river.
3. Since 1983, I have been President and majority owner of River Runner Outdoor Center ("River Runner"). River Runner is a company that provides guided canoe and kayak trips for the general public. I personally organize and guide many of these trips. River Runner also is a retailer of canoes, kayaks, and other outdoor equipment.
4. I have canoed in the area at the confluence of Bull Swamp Creek and the North Fork of the Edisto River multiple times, as well as a number of locations downstream from this point on the Edisto River.
5. Over the past approximately 25 years, River Runner has guided many trips on the

Edisto River. One of the routes we take includes the confluence of Bull Swamp Creek and the North Fork of the Edisto River. There are also at least 3 routes we take downstream of the confluence. I have personally led trips on all of these routes. I also canoe on the Edisto for my personal enjoyment.

6. The first route begins just upstream of the confluence of Bull Swamp Creek and the Edisto River and continues downstream past the confluence. The starting point for this route is the boat launch at Slab Landing Road, which is on the North Fork of the Edisto slightly upstream of the confluence. Its location may be seen in the *DeLorme South Carolina Atlas & Gazetteer* ("Atlas"), which is attached to plaintiffs' summary judgment motion as Exhibit 5, on page 45 at E7. After starting at Slab Landing Road, the route takes guides and customers exactly to the point of the confluence and then through the waters immediately downstream of the confluence on the North Fork of the Edisto. The route ends at Shillings Bridge Road, which may be found on page 45 of the Atlas at F9. I estimate that River Runner has guided at least a dozen trips on this route. I have personally taken approximately 6 trips on this route.

7. In addition to the trips I have taken to the confluence of Bull Swamp Creek and the Edisto River in my capacity as a guide for River Runner, I also made a canoe trip to the confluence with Brent Blackwelder, President of Friends of the Earth, and Robert Guild, counsel to FOE and CLEAN in this case.

8. In recent years, River Runner has decreased the number of trips it takes near confluence of Bull Swamp Creek and the Edisto River, in part because of concern that the runoff from the Gaston Copper facility is polluting this area.

9. I would like to return to this area in the future and would be more likely to do so if I did not think that the area was polluted. The area around the confluence is strikingly beautiful.

In 2000, I took a group of Russians from an exchange program on a trip starting near the confluence and one member of the group likened the area to “a Russian fairy tale.”

10. One of the routes downstream of the confluence of Bull Swamp Creek and the Edisto River begins at Shillings Bridge Road and continues downstream to the Edisto Gardens in Orangeburg, which is also on the North Fork of the Edisto. The location of the Edisto Gardens may be seen on page 45 of the Atlas at G9. I estimate that River Runner has led trips on this route about 2 dozen times within the past 15 years, including 2 or 3 times within the past 5 years. I also have taken personal canoe trips on this route.

11. Another route downstream of the confluence begins in the City of Rowesville and ends in the City of Branchville. The boat ramps where this route begins and ends may be found in the Atlas on page 53 at A9 and B9, respectively. I estimate River Runner has taken this route about 6 times over the past 15 years. I have personally taken this route 2 times.

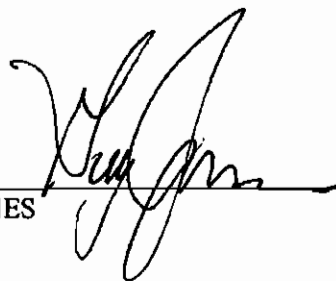
12. Another route begins downstream of the confluence in an area known as Green Pond Church and ends at Colleton State Park. The area in which Green Pond Church is located may be seen in the Atlas on page 54 at E2, and Colleton State Park may be seen in the Atlas on page 54 at F3. I estimate that River Runner has led trips on this route approximately 50 times, including within the past year, and I have taken approximately 25 such trips.

13. The quality of the water in the Edisto River, including the North Fork of the Edisto, is of paramount concern to me. River Runner’s customers want to experience the outdoors in areas where the water is clean and pristine. On the trips that River Runner leads, trip members frequently swim, wade, and fish in the water. It is therefore important that the water quality be high in the areas where we guide trips and that customers have no reason to believe that their health will be threatened by pollution in the water. I am also concerned about the water quality

in the Edisto because of the personal trips I take on the river.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on May 29, 2008.

GUY JONES

A handwritten signature in black ink, appearing to read "Guy Jones", is written over a horizontal line.